

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BADE ALLI,

CIVIL ACTION NO. 07-CV-10670

Plaintiff,

DISTRICT JUDGE GERALD E. ROSEN

MAGISTRATE JUDGE MONA K. MAJZOUN

VS.

**MARTIN H. SAVITZ, estate of,
et al.,**

Defendants.

**ORDER TO HONIGMAN, MILLER, SCHWARTZ AND COHN, LLP BY LAWRENCE
J. MURPHY TO PRODUCE FILE FOR IN CAMERA REVIEW**

This matter comes before the Court on Plaintiff Bade Alli's¹ Motion to Compel the Production of Documents, Answers to Interrogatories, and Requests for Admission be Treated Admitted filed on June 16, 2008. (Docket no. 19). The matter has been referred to the undersigned for decision pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 20). Plaintiff alleged in his Motion to Compel that he was represented by Defendants' counsels' law firm, Honigman, Miller, Schwartz, and Cohn LLP, in 2000 in a real estate transaction involving Plaintiff's attempted purchase of Whittier Towers. At the August 6, 2008 hearing, the Court ordered Defendants' counsel to notify the Court by August 8, 2008 of the Honigman Miller law firm's file retention procedures and whether the firm still retains Bade Alli's file. Defendants' counsel was ordered to produce the file to the Court for in camera inspection so the Court can determine whether the matters at issue are substantially related, and whether the prior file contains any information that could be used to the

¹The case is incorrectly captioned on the docket. Plaintiff's surname is Alli. (Docket no. 1 at 23).

disadvantage of Plaintiff, a former client of the firm. As of today's date Defendants' counsel has not provided this information.

IT IS THEREFORE ORDERED that Defendants' counsel, Honigman, Miller, Schwartz and Cohn LLP by attorney Lawrence J. Murphy will complete the following by 5 p.m. on Friday, August 22, 2008: (1) Notify the Court in writing of the steps taken to date to secure the file of its former client, Bade Alli, and (2) if the file is in existence, provide the file in its entirety to the Court or, if the file has already been destroyed, provide the Court with a written statement that the file has been destroyed, the date that the file was destroyed and by whom the file was destroyed.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: August 19, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Bade Alli and Counsel of Record on this date.

Dated: August 19, 2008

s/ Lisa C. Bartlett
Courtroom Deputy

FAILURE TO COMPLY WITH THE ABOVE ORDER MAY RESULT IN SANCTIONS.